

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291

\* \* \* \* \*

APPLICATION FOR TRANSFER  
OF  
NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

Application is hereby made to transfer the permit to commence small mining operations for the  
Whirlwind Mine project, permit # S/ 019 / 0065, currently  
operated by Energy Fuels Resources Corporation (transferor)  
to Energy Fuels Resources (USA) Inc. (transferee).

As used herein, TRANSFEROR refers to the current operator; TRANSFEE refers to the  
proposed new operator; NOI refers to the Notice of Intention to Commence Small Mining  
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation  
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct small mining operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct large mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The **Transferor** will remain liable for compliance at the mine site until this transfer application is approved.

50190065  
Task ID # 6086  
cc: Mike



The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

Energy Fuels Resources Corporation

Operator/Transferor Name

By David C. Frydenlund

Name of Authorized Officer (Typed or Printed)

Sr. Vice President, General Counsel, Corporate Secretary

Title of Authorized Officer

[Signature]  
Officer's Signature

5/7/2014

Date

STATE OF Colorado )

) ss:

COUNTY OF Jefferson )

On the 7th day of May, 20 14, David C. Frydenlund  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Sr. Vice President, General Counsel, Corporate Secretary (owner, officer, director, partner, agent or other (specify))  
of the Operator Energy Fuels Resources (USA) Inc.  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Laura Beth Schiff

Notary Public

Littleton, Colorado

Residing at

August 7, 2017

My Commission Expires:

LAURA BETH SCHIFF  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20134045223  
MY COMMISSION EXPIRES AUGUST 7, 2017



The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

Energy Fuels Resources (USA) Inc.

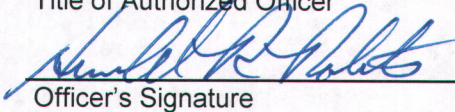
Operator/Transferee Name

By Harold R. Roberts

Name of Authorized Officer (Typed or Printed)

Executive Vice President, Chief Operating Officer

Title of Authorized Officer

  
Officer's Signature

5/9/2014

Date

STATE OF Colorado )

) ss:

COUNTY OF Jefferson )

On the 9th day of May, 20 14, Harold R. Roberts  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Exec. Vice President (owner, officer, director, partner, agent or other (specify))  
of the Operator Energy Fuels Resources (USA) Inc.  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Dee Ann Nazarenus

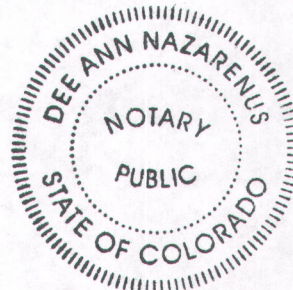
Notary Public

Littleton, Colorado

Residing at

My Commission Expires 07/31/2015

My Commission Expires:





**STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING**

1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The information requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program (R647). The rules and Act are available online at <http://www.rules.utah.gov/publicat/code/r647/r647.htm> and [http://le.utah.gov/~code/TITLE40/40\\_08.htm](http://le.utah.gov/~code/TITLE40/40_08.htm).

"Small Mining Operations" are operations which have a disturbed area of ten or fewer surface acres at any time in unincorporated areas, or five acres or fewer in incorporated areas.

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**I. GENERAL INFORMATION (Rule R647-3-104)**

1. **Name of Mine:** Whirlwind Mine

2.A. **Name of Entity Applying for a Permit:** Energy Fuels Resources (USA) Inc.

Contact (Authorized Officer): Harold Roberts

Mailing Address: 225 Union Blvd. Suite 600

City, State, Zip: Lakewood, CO 80228

Phone: 303-974-2140

Fax: 303-974-2141

E-mail Address: hroberts@energyfuels.com

Entity is a: ☒ Corporation ☐ LLC ☐ Sole Proprietorship (dba) ☐ Individual  
☐ Partnership (☐ General or ☐ limited) ☐ Other (specify type) \_\_\_\_\_

**Business Entity (not individuals) must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC)** If not currently registered, contact [www.commerce.utah.gov](http://www.commerce.utah.gov) to renew or apply.

2.B. Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No

Business Entity #: 1351744-0143

Local Business License #: \_\_\_\_\_ (if required)

Issued by: County: \_\_\_\_\_ or City: \_\_\_\_\_

Registered Utah Agent (as identified with the Utah DOC) (if individual leave blank):

Name: CT Corporation System

Title: \_\_\_\_\_

Address: 500 West Broadway, 8th Floor

City, State, Zip: Salt Lake City, Utah 84101-2006

Phone: 801-364-5101

Fax: 801-359-0388

E-mail Address: \_\_\_\_\_



**2.C. Entity's Representative(s) (if different from #2A) authorized and designated to receive notices of violation, cessation orders, and all other notices to be given to the permittee or operator by the Division.**

Name: Frank Filas Title: Vice President, Permitting and Environmental Affairs  
Address: 225 Union Blvd. Suite 600  
City, State, Zip: Lakewood, CO 80228  
Phone: 303-974-2146 Fax: 303-974-2141  
Emergency, Weekend, or Holiday Phone: 303-526-4454  
E-mail Address: ffilas@energyfuels.com

Name: Andrea Reither Title: Environmental Permitting Specialist  
Address: 225 Union Blvd. Suite 600  
City, State, Zip: Lakewood, CO 80228  
Phone: 303-389-4133 Fax: 303-974-2141  
Emergency, Weekend, or Holiday Phone: 303-601-7457  
E-mail Address: areither@energyfuels.com

**3a. If Business is a Sole Proprietor (dba) or Individual:**

Name of Owner: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**3b. If Business is a Corporation:**

Name of Officers: <u>Stephen P. Antony</u>	Title: <u>President and Chief Executive Officer</u>
Name: <u>Harold R. Roberts</u>	Title: <u>Executive Vice President and Chief Operating Officer</u>
Name: <u>Daniel Zang</u>	Title: <u>Chief Financial Officer</u>
Name: <u>David Frydenlund</u>	Title: <u>Senior Vice President, General Counsel and Corporate Secretary</u>

Headquarters Address: 225 Union Blvd. Suite 600  
City, State, Zip: Lakewood, CO 80228  
Phone: 303-974-2140 Fax: 303-974-2141  
E-mail Address: \_\_\_\_\_

**3c. If Business is a Limited Liability Company:** ☐ Member Managed ☐ Manager Managed

Name of 1<sup>st</sup> Member/Manager: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name of 2<sup>nd</sup> Member/Manager: \_\_\_\_\_ Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**3d. If Business is a Partnership:**

Names of First Partner: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Names of Second Partner: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

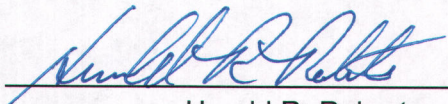


**VII. SIGNATURE REQUIREMENT**

**CERTIFICATION**

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; **or** (4.) the member or manager if applicant is a limited liability company.

Signature:  Date: 5/9/2014

Name (typed or printed): Harold R. Roberts

Title/Position (if applicable): Executive Vice President, Chief Operating Officer





Energy Fuels Resources (USA) Inc.  
225 Union Blvd. Suite 600  
Lakewood, CO, US, 80228  
303-974-2140  
[www.energyfuels.com](http://www.energyfuels.com)

May 16, 2014

Mr. Paul Baker  
State of Utah Department of Natural Resources  
Division of Oil, Gas and Mining  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, UT 84114-5801

RECEIVED  
MAY 20 2014  
DIV. OF OIL, GAS & MINING

**RE: Application for Mining NOI Transfers: Energy Queen (M/037/0043) and Whirlwind (S/019/0065)**

Dear Paul:

Attached please find Energy Fuels Resources (USA) Inc.'s (Energy Fuels) Applications for Transfer of the Energy Queen and Whirlwind mines located in San Juan and Grand Counties respectively. It is my understanding that the bond riders were already received by Penny.

Please contact me at 303-389-4133 or [areither@energyfuels.com](mailto:areither@energyfuels.com) if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink that reads 'Andrea Reither'.

Andrea Reither  
Environmental Permitting Specialist

cc: F. Filas, L. Schiff